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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17 CONVEX PROMOTIONS, INC., a Delaware  
corporation,

CASE NO. C 04-4153 PJH

18 Plaintiff,

**CONVEX PROMOTIONS, INC.'S AND  
ACQUIRE, INC.'S STIPULATION AND  
[PROPOSED] ORDER REGARDING  
CLAIMS CONSTRUCTION  
DEADLINES**

19 v.

20 ACQUIRE, INC., a California corporation,

21 Defendant.

22 **AND RELATED COUNTERCLAIMS.**

23 WHEREAS, on or about May 20, 2005, counsel for plaintiff Convex Promotions, Inc.  
24 ("Convex") and counsel for defendant Acquire, Inc. ("Acquire") stipulated to an extension of  
25 certain deadlines with respect to claim construction in this case, including an extension of the June  
26 10, 2005 deadline for filing the Joint Claims Construction and Prehearing Statement to June 27,  
27 2005;

28  
CONVEX PROMOTIONS AND ACQUIRE INC.'S  
STIPULATION AND [PROPOSED] ORDER RE:  
CLAIMS CONSTRUCTION DEADLINES

CASE NO. C 04-4153 PJH

1           WHEREAS, the parties agreed that Convex would prepare and file the stipulation for these  
 2 extended deadlines with the Court;

3           WHEREAS, the parties recently discovered that this stipulation was never filed with the  
 4 Court;

5           WHEREAS, upon realization that a stipulation had not been filed, Acquire had a  
 6 discussion with Convex regarding this matter, and the parties stipulated to a further extension of  
 7 these deadlines;

8           WHEREAS, counsel for Acquire is currently in the middle of a lengthy trial, that was  
 9 originally scheduled to be completed by June 24, 2005, but is now expected to be completed by  
 10 July 1, 2005; and

11           WHEREAS, there is good cause for the following stipulated extensions.

12           THE PARTIES, by and through their counsel, hereby request and stipulate to the extension  
 13 of the following deadlines:

14 <b>Claims Construction 15           Obligation</b>	16 <b>Present Deadline</b>	17 <b>Stipulated Deadline</b>
18           Joint Claims Construction 19           and Pre-hearing Statement	20           June 10, 2005	21           June 27, 2005, as stipulated by 22           the parties in May 2005. The 23           parties have now stipulated to 24           extend this deadline to July 8, 25           2005.
26           Claim Construction 27           Discovery Cut-off	28           July 8, 2005	29           July 29, 2005
30           Last Day for Convex to File 31           and Serve its Opening 32           Claims Construction Brief	33           July 19, 2005	34           August 5, 2005
35           Last Day for Acquire to File 36           and Serve its Opposition 37           Claims Construction Brief	38           August 2, 2005	39           August 19, 2005

1	Last Day for Convex to File and Serve its Reply Claims Construction Brief	August 11, 2005	August 30, 2005
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7 DATED: June 24, 2005

Respectfully submitted by,

**PERKINS COIE LLP**

8  
9 By /s/  
10 Paul J. Andre  
Attorney for Defendant  
11 Acquire, Inc.

12 DATED: June 24, 2005

**GREENBERG TRAURIG LLP**

13  
14 By /s/  
15 Andrew Eliseev  
16 Attorney for Plaintiff  
17 Convex Promotions, Inc.

1  
2 [PROPOSED] ORDER  
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4 PURSUANT TO STIPULATION DATED JUNE 22, 2005, IT IS SO ORDERED.  
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6 DATED: June 27, 2005  
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11 The Honorable Phyllis J. Hamilton  
12 UNITED STATES DISTRICT JUDGE  
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